

Preliminary Amendment

Atty Dkt No.: 1998P07977US03

Serial No.: 09/218,783

## REMARKS

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Claims 1 – 27 remain in the application. Claims 1, 4, 8, 9, 11, 12, 14 – 16, 19 – 24 and 27 are amended herein. This Preliminary Amendment is being filed with a Request for Continued Examination, a request for a one month extension of time and the appropriate fee. The Commissioner is hereby further authorized to charge any additional fees that may be required for this paper or credit any overpayment to Deposit Account No. 19-2179.

Claim 1 is amended for clarity and to reflect that any listed group member may pick up, i.e., that the “group pickup request unit responsive to said invite request unit [establishes] a connection to any of a plurality of group pickup destinations to enable a call to a called station to be picked up from any group pickup destination, said destination being selected responsive to one of an alerting listed group member location and a responding listed group member location” at lines 7 – 11. This is supported by finally rejected claim 4 and in the specification at page 8, lines 13 – 14, for example. This is neither shown nor suggested by any reference of record. No new matter is added.

Claims 4, 9, 15, 16, 22 – 24 and 27 are amended to reflect that servers control local group member stations. Specifically, claim 4 is amended to recite that “each server micro-controls pickup functions for resident group members and responds to group pickup requests and status notification from other ones of said one or more servers.” Claim 9 is amended to recite that the “call pickup destination [picks] up responsive to control of an associated one of said one or more servers” at lines 12 – 13. Claims 15, 22 and 27 are amended to recite that the servers are “capable of controlling call service functions enabling incoming calls to a stations associated with other servers to be picked up by local stations associated with said ones” at lines 3 – 4. This is supported in the specification at page 9, lines 11 – 12, for example, and see page 10, lines 17 – 18. This is neither shown nor suggested by any reference of record. No new matter is added.

Claim 8 is amended to reflect that group member stations select whether to pick up, i.e., that “picking up said call at said destination selects said destination.” This is supported in the specification at page 9, lines 11 – 12, for example, and see page 2, lines 12 – 15. Neither is this shown nor suggested by any reference of record. No new matter is added.

Claims 11 and 12 are amended to reflect that any group member station, even a station on different server, may pick up. Specifically, i.e., is amended to recite that “at least one said call

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group having listed members from call group locations associated with each of at least two of said plurality of servers, ... [originating] picking up said parked call from any said at least one call group pickup destination within the network." Claim 12 is amended to recite "means ... for establishing a connection to a group pickup destination to enable parking calls at said group pickup destination, ...; and means for connecting a second listed call group pickup destination ... at another one of said one or more group locations located anywhere within the network;" at lines 5 – 12. This also is supported in the specification at page 9, lines 11 – 12, for example, and see page 10, lines 17 – 18 and is neither shown nor suggested by any reference of record. No new matter is added.

Claims 19 – 21 are amended for clarity. No new matter is added.

In responding to applicants prior remarks, the final Office mailed December 14, 2006, asserts that "Miloslavsky was used to teach and disclose [answering calls to listed members by other listed member stations] (See Miloslavsky, col. 2, lines 38 – 60 and col. 8, lines 17 – 40)" and, to teach and disclose "wherein a customer initiates connection between that customer and another party, ..., wherein calls to listed members can be answered by other listed member stations and wherein a call pickup party may be located on any other server within the network ... (See Miloslavsky, col. 1, lines 12 – 14, col. 2, lines 15 – 19, and col. 4-15, lines 66 – 7)."'

Miloslavsky col. 2, lines 38 – 60 describes incoming calls to stations associated with a server; the server identifies a group member for each call that may be associated with another server, and the same server forwards the calls to an identified group member. *See also,* Miloslavsky Figure 4A, e.g., steps 274 and 280. However, forwarding a call from one member station to another, falls short of allowing any listed group member to pick up as reflected in claim 1, as amended. This is also quite different than the other server associated with the pickup stations controlling the pickup as claims 4, 8, 9, 11, 12, 14 – 16, 22 – 24 and 27 are amended to recite.

Miloslavsky col. 8, lines 17 – 40 describes activity at the first server. Miloslavsky col. 1, lines 12 – 14 is a statement of the field of the Miloslavsky invention. Miloslavsky col. 2, lines 15 – 19 describes the Miloslavsky CTI server. Miloslavsky col. 4-15, lines 66 – 7 describes the Miloslavsky call center. This is also quite different than the server associated with the pickup stations controlling the pickup as the claims 4, 8, 9, 11, 12, 14 – 16, 22 – 24 and 27 are amended to recite. Therefore, the combination of Grunsted et al. and Miloslavsky does not result in the

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present invention as recited in claims 1, 4, 8, 9, 11, 12 15, 16, 22 – 24 and 27, as amended, or in any claims depending therefrom. Accordingly, all claims, as amended, are believed to be allowable over all references of record. Independent consideration and allowance of claims 1 – 27 is respectfully requested.

As the applicants have previously noted, MPEP §706 "Rejection of Claims," subsection III, "PATENTABLE SUBJECT MATTER DISCLOSED BUT NOT CLAIMED" provides in pertinent part that

If the examiner is satisfied after the search has been completed that patentable subject matter has been disclosed and the record indicates that the applicant intends to claim such subject matter, he or she may note in the Office action that certain aspects or features of the patentable invention have not been claimed and that if properly claimed such claims may be given favorable consideration.

(emphasis added.) The applicants believe that the matter presented in the written description of the present application is quite different than, and not suggested by, any reference of record. Accordingly, should the Examiner believe anything further may be required, the Examiner is requested to contact the undersigned attorney by telephone at 408-492-5336 for a telephonic interview to discuss any other changes.

Respectfully submitted,



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